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To: United States Patent and Trademark Office Commissioner for Patents	From: Shirley A. Kopecky
Fax: 571-273-8300	Phone: 713-483-5386
Pages: 12 Including cover sheet	Fax: 713-483-5384/281-884-0623
Phone:	Date: 8/25/2006
Re: Attorney Docket: COS-890	CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

In re Application of:
Jim Butler et al.

Serial No.: 10/749,259

Confirmation No.: 8566

Filed: December 31, 2003

For: USING EXCESS LEVELS OF METAL SALTS TO IMPROVE PROPERTIES WHEN INCORPORATING POLYMERS IN ASPHALT

Customer No: 25264
Examiner: Peter Mulcahy

Group Art Unit: 1713

Customer No: 25264

Attorney Docket No. COS-890

See attached:

1. Transmittal Letter; and
2. Amendment and Response to Office Action and Final Rejection dated June 28, 2006

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Attorney Docket No. COS-890
Customer No: 25264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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§ Examiner: Peter Mulcahy

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Group Art Unit: 1713

Attorney Docket No. COS-890

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

CERTIFICATE OF FACSIMILE 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the designated fax 571-273-8300, to the attention of the named Examiner, on the date below.

August 25, 2006
Date

Signature

TRANSMITTAL LETTER

In connection with the above-identified application, Applicants respectfully submit an Amendment and Response to Office Action and Final Rejection dated June 28, 2006.

No fees are believed to be due in conjunction with this response. However, if fees are due the Commissioner is hereby authorized to charge any such fees that may be required, or to credit any overpayment, to Deposit Account Number 03-3345.

Respectfully submitted,

Date:

August 25, 2006

Shirley A. Kopecky
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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§ Examiner: Peter Mulcahy
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August 25, 2006
Date

Peter A. Mulcahy
Signature

Dear Honorable Commissioner:

RESPONSE TO OFFICE ACTION DATED JUNE 28, 2006

In response to the Office Action and Final Rejection dated June 28, 2006, having a shortened statutory period for response set to expire on September 28, 2006, Applicants file this response and amendment.

Applicants thank the Examiner for his time on March 10, 2006, and respectfully request allowance of the claims based on that discussion and the following.

The Listing of Claims begins on Page 2.

Remarks/Arguments begin on Page 9.